

### REMARKS

Applicant has carefully reviewed the Official Action for the above identified patent application dated December 23, 2004.

Applicant gratefully acknowledges the Examiner's indication at page 7 of the Official Action, that Claims 17 - 20 are allowed, and that Claims 6 - 13, and 15 - 16 are directed to allowable subject matter.

At page 2 of the Official Action, the Examiner has objected to the original drawings on the grounds that reference numeral "66" has been used to designate two different elements. In response to this objection, FIGURE 8 of the drawings has been revised to replace reference numerals 66 with reference numerals 64. This amendment to the reference numerals on FIGURE 8 are supported by page 15 of the original Specification. The locking tabs 64, referred to in the specification, were inadvertantly labelled as reference numerals 66 on original FIGURE 8 of the drawings. Applicant regrets any inconvenience caused by this typographical error.

As also required at page 2 of the Official Action, the original drawings have been replaced by substitute drawings which show the numerical reference characters in plain and legible form.

Applicant respectfully submits that the enclosed replacement drawings overcome all objections to the drawings raised in the Official Action.

The first paragraph of page 1 of the specification has been revised to indicate that the parent application has now issued as U.S. Patent No. 6,625,927, as required in the Official Action.

Page 15, line 8 of the specification has been amended to delete reference numeral "66" and replace it with the legend "(not shown)". As the Examiner has correctly noted in the Official Action, reference numeral "66" refers to lower raised ribs, and not an opening defined in the rear panel of the plant container.

The openings designated by reference numeral "68", which are defined on the upper angled portion 60 of the insert 56, are different from the openings in the rear panel of the plant container. The specification now only correctly refers to the openings in the insert 56 with reference numeral "68" as shown in the original drawings and as disclosed on page 15 of the original specification.

Page 18 of the specification has also been amended to delete the last paragraph thereof. As the Examiner correctly notes in the Official Action, the last two paragraphs of page 18 of the specification are identical.

Applicant respectfully submits that the revisions to the specification made herein overcome the objections raised in the Official Action, and also conform the specification to the drawings.

At page 4, first and second paragraphs of the Official Action, an objection has been raised against Claim 2 as repeating the recitations of Claim 1. Claim 1, fourth line, should actually have recited "means for mounting", and not "means for removably mounting". Claim 2 would then limit Claim 1 by reciting that the "means for mounting" comprise "means for removably mounting". However, Claim 1 has been cancelled and the features of this claim have been incorporated into Claim 6 which has been rewrittten in independent form. Claim 6, as amended herein, recites "means for mounting", and Claim 2 has been revised to depend from independent Claim 6. Therefore, Claim 2, which recites "means for removably mounting" now properly further limits parent independent Claim 6 which recites "means for mounting". Accordingly, the original objection to dependent Claim 2 has been overcome by the amendments made herein.

At page 7 of the Official Action, Claims 17 - 20 have been allowed, and Claims 6 - 13 and 15 - 16 have been indicated as being directed to allowable subject matter but have been objected to as depending from a rejected parent claim. As noted above, allowable Claim 6 has been rewritten in independent form to overcome the objection to the form of that claim. Claim 6 is

therefore in condition for allowance. The allowance of Claim 6 overcomes the objections raised against Claims 7 - 13 and 15 - 16.

Claims 2, 5, and 14 have been amended to depend from Claim 6. Therefore, Claims 2, 5, and 14, as amended herein, are allowable, at least for the same reasons as parent independent Claim 6.

Claims 1, 3 and 4 have been cancelled, without prejudice, since the features of these claims have been incorporated into Claim 6, as amended herein.

Claims 17 - 20 have been allowed as noted at page 7 of the Official Action.

Applicant respectfully submits that all pending claims are in condition for allowance, and favorable action is respectfully requested.

Respectfully submitted,



Mark P. Stone  
Reg. No. 27,954  
Attorney for Applicant  
25 Third Street, 4th Floor  
Stamford, CT 06905  
(203) 329-3355

REPLACEMENT PARAGRAPH

PAGE 1, FIRST PARAGRAPH

The present application is a continuation-in-part of Serial No. 09/877,746, filed June 8, 2001 (now U.S. Patent No. 6,625,927, issued September 30, 2003), and claims the benefit of the earlier application pursuant to 35 U.S.C. Section 120.

## REPLACEMENT PARAGRAPH

### PAGE 15, FIRST PARAGRAPH

FIGURES 7 and 8 illustrate a further embodiment of a plant container in accordance with the present invention. An insert, generally designated by reference numeral 56 includes a vertical plate 58 having an upper angled portion 60 and a horizontal extension 62 extending into the plant container or receptacle 2. At least one locking tab 64 extends horizontally and rearwardly from the upper portion of angled section 60, and is removably insertable into a corresponding opening ~~66~~ (not shown) defined in the rear panel 4 of the plant container. The components 58, 60, 62, and 64 of the insert 56 are integrally joined to each other so that the insert 56 is formed from a single unit. The bottom end of the vertical plate 58 is retained on the bottom surface of the receptacle 2 by two opposed raised ribs 66 defined on the bottom of the receptacle. Therefore, the insert is removably locked into the position shown in FIGURE 7 by the upper locking tabs 64 and the lower raised ribs 66. At least one opening 68 is defined in the upper angled portion 60 of the insert 56. The horizontal plate 62 extending into the receptacle 2 is oriented to be above the top layer 6 of soil received in the receptacle 2. The horizontal plate 62 can define a cut-out section proximate to its midpoint for facilitating access to the soil beneath this plate.

### DRAWING AMENDMENTS

Enclosed are replacement sheets for the drawings originally filed with this patent application. Also enclosed is a copy of original FIGURE 8 to show revisions made to correct a reference numeral.



FIGURE 8

